

IN THE UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF MARYLAND, NORTHERN DIVISION

UNITED STATES OF AMERICA

v.

CRIMINAL NO.: WDQ-10-0488

TIMOTHY WILSON, ET AL.

* * * * *

MEMORANDUM OPINION

On December 5, 2011, a jury convicted Timothy M. Wilson and Luis R. Ahorrio, Jr. (the "Defendants") of conspiring to distribute and possessing with intent to distribute 280 grams or more of crack cocaine, in violation of the Controlled Substances Act, 21 U.S.C. §§ 841(a)(1) and 846. For the following reasons, the Court ordered the Defendants' detention pending sentencing.


A defendant convicted under the Controlled Substances Act and facing a maximum sentence of 10 years or more shall be detained pending sentencing unless (1) the Court finds by clear and convincing evidence that the defendant is not likely to flee or pose a danger to others and (2) the Court finds a substantial likelihood that a motion for acquittal or new trial will be granted, or the Government has recommended no imprisonment. 18 U.S.C. §§ 3142(f)(1)(C), 3143(a)(2). The convictions subject each of the Defendants to a mandatory sentence of 10 years imprisonment and a maximum sentence of life. 21 U.S.C. 841(b).

Although the case was hotly contested, upon reviewing the evidence, the Court determined that there is not a substantial likelihood that the Defendants' motion for acquittal or new trial would be granted. Also, the Defendants could not establish by clear and convincing evidence that they were not likely to flee before sentencing. Although they complied with the conditions of their pre-trial release, the Defendants were not then facing the certainty of spending many years in prison.

For the reasons above, the Court ordered the Defendants' detention pending sentencing.

Date

12/7/11



William D. Quarles, Jr.
United States District Judge